

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

**DECISION AND ORDER**  
09-CR-323S

CHAD KOSCHUK,

Defendant.

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Presently before this Court is the Government's Motion for Revocation of Release. (Docket No. 131.) This Court previously released Defendant pending appeal, pursuant to 18 U.S.C. § 3145(c). (Docket No. 112.) Defendant's appeal has now been denied by the United States Court of Appeals for the Second Circuit. (Docket No. 129.) Although Defendant is preparing a petition for writ of certiorari to the United States Supreme Court and a possible motion to vacate the judgment under 28 U.S.C. § 2255, this Court finds that the denial of Defendant's appeal renders his continued release no longer warranted. The Government's motion will therefore be granted and Defendant will be ordered to surrender pursuant to the United States Marshals Service's designation to begin serving his sentence.

IT HEREBY IS ORDERED, that the Government's [131] Motion for Revocation of Release is GRANTED.

FURTHER, that Defendant is directed to report to the FCI Elkton FSL on September 4, 2012, before 2:00 p.m., as directed by the United States Marshals Service.

Dated: August 30, 2012  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
Chief Judge  
United States District Court